

AN ACT

ENTITLED, An Act to provide a procedure to form a road district if there are three or less landowners and to prohibit the transfer of the jurisdiction of certain public highways to a road district.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 31-12A-1 be amended to read as follows:

31-12A-1. Any area outside the boundary of a municipality, which is situated so that the construction or maintenance of roads becomes desirable, may be incorporated by its landowner or landowners as a road district pursuant to this chapter.

Section 2. That chapter 31-12A be amended by adding thereto a NEW SECTION to read as follows:

Notwithstanding any other provision of chapter 31-12A, one, two, or three landowners may form a road district pursuant to this chapter. If there are three or less landowners, each landowner shall be a trustee at large and no election of trustees is required. After the district is incorporated and the number of landowners within the district is five or more, the district shall conduct an election pursuant to § 31-12A-16. The district shall conduct the election on the next anniversary date of the formation of the district.

Section 3. That chapter 31-12A be amended by adding thereto a NEW SECTION to read as follows:

No political subdivision of the state may relinquish or transfer jurisdiction over any public highway to a road district.

An Act to provide a procedure to form a road district if there is three or less landowners and to prohibit the transfer of the jurisdiction of certain public highways to a road district.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1262

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1262

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

19____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 19____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 19____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State